

**MINUTES OF THE  
IMMIGRATION INTERIM COMMITTEE**

Thursday, December 18, 2008 – 9:00 a.m. – Room C450 State Capitol

**Members Present:**

Sen. Scott K. Jenkins, Senate Chair  
Rep. Brad L. Dee, House Chair  
Sen. Mark B. Madsen  
Sen. Ross I. Romero  
Rep. Stephen D. Clark  
Rep. Glenn A. Donnelson  
Rep. Ben C. Ferry  
Rep. Neil A. Hansen  
Rep. Mark A. Wheatley

**Members Absent:**

Rep. Michael E. Noel  
Sen. John W. Hickman

**Staff Present:**

Mr. Arthur L. Hunsaker, Policy Analyst  
Mr. James L. Wilson, Associate General Counsel  
Mr. Thomas R. Vaughn, Associate General Counsel  
Ms. Chelsea Barrett, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Jenkins called the meeting to order at 9:08 a.m.

Rep. Donnelson moved to approve the minutes of the December 3, 2008 meeting. The motion passed unanimously with Rep. Hansen and Sen. Madsen absent for the vote.

**2. Consideration of Draft Legislation**

Chair Dee explained the process of drafting the legislation pertaining to today's meeting. He explained that it was a cooperative effort between several groups of individuals and different agencies.

Mr. Wilson distributed and explained 2009 General Session draft legislation, "Deterring Illegal Immigration." Mr. Wilson noted that the draft legislation authorizes the Department of Public Safety to organize a multi-agency strike force to combat violence and crimes associated with illegal immigration and human trafficking.

**MOTION:** Chair Dee moved to approve 2009 General Session draft legislation, "Deterring Illegal Immigration" as a Committee bill. The motion passed with Rep. Wheatley, Rep. Hansen, and Sen. Romero voting in opposition.

Mr. Wilson introduced 2009 General Session draft legislation, "Immigration Amendments." Mr. Wilson explained the draft legislation attempts to address the concerns with the identity documents and verification provisions, concerning the definition of "contract" and the retirement eligibility benefits that could be claimed by illegal immigrants.

**MOTION:** Chair Dee proposed to amend the language on line 31 of the draft legislation to include: "goods or". The motion passed unanimously with Sen. Madsen and Rep. Clark absent for the vote.

**MOTION:** Chair Dee moved to approve 2009 General Session draft legislation, "Immigration Amendments," as amended, as a Committee bill. The motion passed unanimously with Sen. Madsen and Rep. Clark absent for the vote.

Mr. Hunsaker explained and distributed 2009 General Session draft legislation, "Joint Resolution Requesting a Federal Waiver to Establish an Employee Sponsored Work Program." Mr. Hunsaker

explained the joint resolution, which urges the United States Congress to grant Utah waivers to establish an employee-sponsored work program and other strategies to address illegal immigration in the state. The Committee decided that the bill should be a concurrent rather than joint resolution.

**MOTION:** Rep. Ferry moved to approve 2009 General Session draft legislation, "Joint Resolution Requesting a Federal Waiver to Establish an Employee Sponsored Work Program" as a Committee bill with the provisions that the resolution would be "concurrent" rather than "joint." The motion passed with Sen. Romero voting in opposition and Sen. Madsen and Rep. Clark absent for the vote.

Ms. Shannon Halverson, Associate General Counsel, explained and distributed 2009 General Session draft legislation, "Lawful Presence Verification for Issuance of a Driver License or Identification Card." Ms. Halverson explained how this proposed legislation coordinates with 2008 General Session SB 81, "Illegal Immigration."

Ms. Jill Laws and Ms. Kim Gibb, Department of Public Safety, Drivers' License Division, clarified the language of the bill and answered questions from the Committee.

**MOTION:** Chair Dee moved to approve 2009 General Session draft legislation, "Lawful Presence Verification for Issuance of a Driver License or Identification Card" as a Committee bill. The motion passed unanimously with Sen. Madsen absent for the vote.

### **3. Public Comment**

Bishop Carolyn Tanner Irish, Episcopal Diocese of Utah, noted her experiences with illegal immigration in Utah. She explained her thoughts on the SB 81 and urged that the bill not take effect on July 1, 2009.

Mr. Tony Yapias thanked the committee for taking time to study immigration. He noted that he would like to see the effective date for SB 81 delayed until July 1, 2010.

Mr. Mike Kohler distributed "Diary Producers of Utah Position on Illegal Immigration" to the Committee and explained the position of diary producers in the state of Utah and the affects of illegal immigrants on small towns and businesses.

Ms. Alice Steiner, Utah League of Women Voters, distributed and read "LWVUS Immigration Position." Ms. Steiner encouraged the Committee to delay implementation of SB 81.

Mr. Mike Martinez read his position statement on illegal immigration to the Committee.

Mr. Robert Wren, Chair, Utahns for Immigration Reform and Enforcement, introduced former Congressman Merrill Cook and Mr. Paul Royall and discussed their experiences with illegal immigration in Utah.

### **9. Committee Business / Adjourn**

**MOTION:** Rep. Donnelson moved to adjourn. The motion passed unanimously.

Chair Jenkins adjourned the meeting at 11:31 a.m.